

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Forest Department - Disciplinary case of Sri J Hari Babu, ACF (retd) former DFO Krishna Division - Article of Charge issued - Inquiry finalized and findings received - Provisional decision to impose a penalty of 8% cut in pension for a period of five (5) years against the Charged Officer - Show-Cause-Notice Issued - Explanation received - Final Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.MS.No. 46

Dated: 07-05-2016
Read the following:

1. From the Prl.CCF Lr.Rc.No.41576/2012/Vig-3, Dt:05-08-2014.
2. From the PCCF, Lr. Rc. No. 41576/2012/Vig-3, dt. 24.02.2015.
3. G.M. No. 4827/Sec.IV/A1/2014, dt. 07.01.2016.
4. From the PCCF, Lr. Ref. No. 41576/2012/Vig-3, dt. 23.02.2016.
5. Govt. Lr. No. 4827/For.IV/A1/2014, dt.16.03.2016
6. From the Prl. Secretary, APPSC, Lr. No. 215/DC&C/2/2016, dt. 13.04.2016.

In the reference 1st read above, the Principal Chief Conservator of Forests, A.P. Hyderabad has informed that an Article of Charge was issued against Sri J.Hari Babu, Assistant Conservator of Forests (retd) former Divisional Forest Officer, Krishna Division vide PCCFs Rc.No. 41576/2013-P1 dt.13.12.2012, on the following count:

Article: That he has committed gross irregularities by including Peeling Machinery in the Saw Mill Licenses, in violation to provisions of AP Saw Mills (Regulation) Rules, 1969, orders of Hon'ble SCI/CEC, and contravention to the instructions of Prl. Chief Conservator of Forests office.

2. The Charged Officer acknowledged the Article of Charge on 25.1.2013 and submitted the written statement of defence on dated 7.2.2013. After examining the same, the Conservator of Forests, Rajahmundry and Divisional Forest Officer, Krishna Division, Vijayawada were appointed as Inquiry Officer and Presenting Officer respectively, for conducting regular inquiry vide PCCF Rc.No. 41576/2013-P1 (i)&(ii) dt. 21.3.2013.

3. The Prl.CCF has informed that the Inquiry Officer conducted enquiry and submitted findings vide CCF Rc.No.4172/2013-M8, dt. 11.1.2014, wherein he has held the charge proved and stated that:-

- The PCCF., AP, Hyderabad vide Rc.no.39196/2007-V3, dt.26.09.2007, had instructed not to allow any increase in the capacity of Saw Mill either by increasing the number of saw or otherwise, as it violates the CEC/Hon'ble Supreme Court orders.
- In case of Sri Vinayaka Industries(saw Mill), Muppala Village, the Divisional Forest Officer submitted proposals to the Conservator of Forests, Rajahmundry for inclusion of Peeling Machine in the Forest License and the Conservator of Forests replied that if the Divisional Forest Officer himself is convinced that inclusion of Peeling Machine in the Forest License at this stage is not against the Rules, he can take his own decision at his level being the licensing authority.
- In case of other Saw Mill i.e., Sri Laxmi Venkateswara Saw Mill, Mukkalapadu, the Delinquent Officer has taken decision without referring to the Conservator of Forests and included the peeling Unit in the Forest License against the norms. He cancelled the same subsequently.

- The Delinquent Officer misinterpreted the Hon'ble Supreme Court orders dated 30.10.2002 and executive instructions issued by Prl. Chief Conservator of Forests thereon. This is conclusively proved by action of Delinquent Officer in sanctioning a Saw Mill license with peeling machine (The Laxmi Venkateswara Saw Mills) and modifying the same later on.

4. The findings of Inquiry Officer were communicated to the Charged Officer vide PCCF Rc.No. 41576/2013-/K3, dt.28-01-2014(Final Notice). The Charged Officer submitted his further defense statement on 14.4.2014, wherein no fresh points/facts were submitted.

5. The Charged Officer retired from service on attaining the age of superannuation on 30.06.2013. Hence, the disciplinary proceedings are continued under Rule 9(1) of A.P. Revised Pension Rules, 1980.

6. After careful examination of the matter, with reference to the findings of the Inquiry Officer, the remarks of the Prl. Chief Conservator of Forests, and material made available, it was observed that the charge framed against the Charged Officer was held proved and provisionally it was decided to impose a penalty of 8% cut in pension for a period of five (5) years against Sri J. Hari Babu, ACF(Retd.), the then DFO, Krishna, under rule 9 of A.P. Revised Pension Rules, 1980.

7. Accordingly a Show-Cause-Notice was issued to the retired officer vide reference 3rd read above. The PCCF, A.P., Hyderabad, vide ref. 4th read above has informed that, the Charged Officer did not submit his further defense statement till to the Show Cause Notice.

8. Government, after careful examination of the matter hereby order to impose a penalty of 8% cut in pension for a period of (5) years against the retired Charged Officer Sri J. Hari Babu, ACF(Retd.), under Rule 9 of A.P. Revised Pension Rules, 1980.

9. The Principal Chief Conservator of Forests, A.P. Hyderabad is directed to take action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASHWINI KUMAR PARIDA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests, A.P., Hyderabad.
The Individual (through Principal Chief Conservator of Forests).

Copy to:
The Accountant General (A&E) A.P., Hyderabad.
The Director of Treasuries & Accounts, Hyderabad, A.P.
The Principal Secretary, A.P. Public Service Commission, Hyderabad
(with ref. to Lr.No.215/DC&C/2/2016, dt.13.04.2016).

Sf./Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER